

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

STEVEN ALLEN McGEE,

Movant,

v.

CASE NO. 1:08-cv-499

UNITED STATES OF AMERICA,

HON. ROBERT HOLMES BELL

Respondent.

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MEMORANDUM OPINION AND ORDER

This matter is before the Court on Movant's motion for an order of habeas corpus ad testificandum ordering the United States Marshals to transport Movant to the Western District of Michigan so that Movant can testify in relation to his § 2255 motion. (Dkt. No. 24.) The Court must grant a hearing on a § 2255 motion "[u]nless the motion and the files and records of the case conclusively show that the prisoner is entitled to no relief." 28 U.S.C. § 2255(b). Movant's motion, combined with his two briefs in support totaling approximately 160 pages and all other records of the case conclusively show that Movant is entitled to no relief. Because no hearing is necessary for the adjudication of Movant's § 2255 motion, Movant is not entitled to the relief he seeks in this present motion.

Accordingly,

IT IS HEREBY ORDERED that Movant's motion for an order of habeas corpus ad testificandum ordering the United States Marshals to transport Movant to the Western District of Michigan so that Movant can testify in relation to his § 2255 motion (Dkt. No. 24) is **DENIED**.

Dated: January 21, 2010

/s/ Robert Holmes Bell
ROBERT HOLMES BELL
UNITED STATES DISTRICT JUDGE